

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICHAEL RUBIN, Individually And On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

MF GLOBAL, LTD., ET AL.,

Defendants.

Docket No. 08-cv-2233 (VM)

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, William J. Ban, a member in good standing of the bar of this Court, hereby moves for an Order allowing the admission *pro hac vice* of Mark R. Rosen of Barrack, Rodos & Bacine, 3300 Two Commerce Square, 2001 Market Street, Philadelphia, PA 19103, Telephone: (215) 963-0600, Fax: (215) 963-0838.

Mark R. Rosen is a member in good standing of the Bar of the Commonwealth of Pennsylvania, State of New Jersey, State of California and the District of Columbia, as well as various federal courts. There are no pending disciplinary proceedings against Mark R. Rosen in any state or federal court.

Dated: June 16, 2008
New York, New York

Respectfully submitted,

BARRACK, RODOS & BACINE

By: 

William J. Ban (WB0382)
Gloria Kim (GK5661)
1350 Broadway
Suite 1001
New York, NY 10018
Phone: (212) 688-0782
Fax: (212) 688-0783
Email: wban@barrack.com

Attorney for Defendant

JUN 17 2008 654358805

JUN 17 2008 654358805

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICHAEL RUBIN, Individually And On	:	
Behalf of All Others Similarly Situated,	:	Docket No. 08-cv-2233 (VM)
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
MF GLOBAL, LTD., ET AL.,	:	
	:	
Defendants.	:	

**DECLARATION OF WILLIAM J. BAN IN SUPPORT OF
MOTION TO ADMIT COUNSEL *PRO HAC VICE***

I, William J. Ban, declare under penalty of perjury, that the foregoing is true and correct to the best of my knowledge:

1. I am an attorney at the law firm of Barrack, Rodos & Bacine and counsel for defendant in the above-captioned matter. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the motion to admit Mark R. Rosen *pro hac vice* to represent plaintiff MF Global Institutional Investor Group in this matter.

2. I am a member in good standing of the bar of the State of New York and was admitted to practice law on June 20, 1983. I was admitted to the bars of the United States District Courts for the Southern and Eastern Districts of New York in July 1983 and am in good standing with these Courts.

3. I have known Mark R. Rosen for more than four years and have worked with him continuously at Barrack, Rodos & Bacine since April 2004.

4. Mr. Rosen is a partner at Barrack, Rodos & Bacine and is duly admitted to practice and a member in good standing of the bars of the Commonwealth of

Pennsylvania, the State of New Jersey, the State of California and the District of Columbia, as well as various federal courts.

5. Attached hereto as Exhibits 1-4, respectively, are current certificates of good standing for Mr. Rosen issued by the Supreme Court of the Commonwealth of Pennsylvania, Supreme Court of New Jersey, the Supreme Court of California and the District of Columbia Court of Appeals.

6. I have found Mr. Rosen to be an exceptionally skilled attorney of fine character and integrity. He is experienced in federal practice and is familiar with the Federal Rules of Civil Procedure.

7. Accordingly, I am pleased to move the admission *pro hac vice* of Mark R. Rosen.

WHEREFORE, I respectfully request that the Court grant the motion to admit *pro hac vice* of Mark R. Rosen as counsel for the defendant in the above-captioned matter.

Dated: June 16, 2008

Respectfully submitted,

By:



William J. Ban (WB0382)
1350 Broadway
Suite 1001
New York, NY 10018
Phone: (212) 688-0782
Fax: (212) 688-0783
Email: wban@barrack.com

Attorney for Plaintiff
MF Global Institutional
Investor Group

EXHIBIT 1



Supreme Court of Pennsylvania

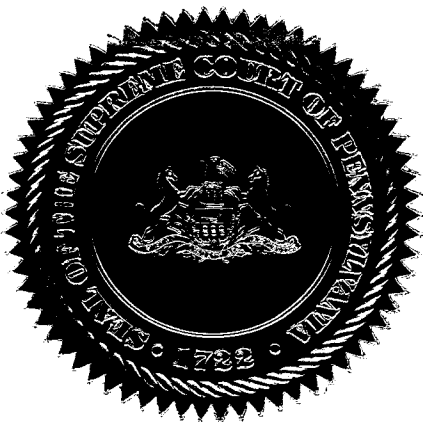
CERTIFICATE OF GOOD STANDING

Mark Robert Rosen, Esq.

DATE OF ADMISSION

December 3, 1979

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: June 6, 2008

A handwritten signature in cursive script, reading "Patricia A. Johnson".

Patricia A. Johnson
Chief Clerk

EXHIBIT 2

Supreme Court of New Jersey

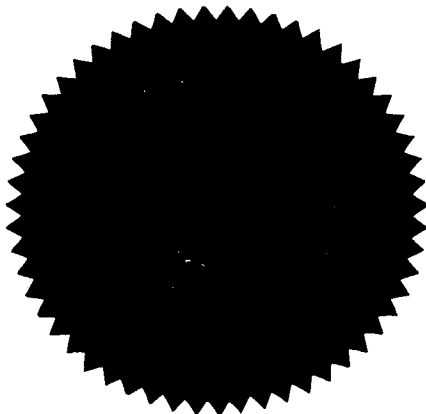


Certificate of Good Standing

This is to certify that **MARK R ROSEN**
(No. **003411980**) was constituted and appointed an Attorney at Law of New
Jersey on **May 09, 1980** and, as such,
has been admitted to practice before the Supreme Court and all other courts of this State
as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in
Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing"
if the Court's records reflect that the attorney: 1) is current with all assessments
imposed as a part of the filing of the annual Attorney Registration Statement, including,
but not limited to, all obligations to the New Jersey Lawyers' Fund for Client
Protection; 2) is not suspended or disbarred from the practice of law; 3) has not
resigned from the Bar of this State; and 4) has not been transferred to Disability
Inactive status pursuant to Rule 1:20-12.

*Please note that this Certificate does not constitute confirmation of an attorney's
satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to
practice law in this State.*



In testimony whereof, I have
hereunto set my hand and
affixed the Seal of the
Supreme Court, at Trenton, this
11TH day of June , 20 08

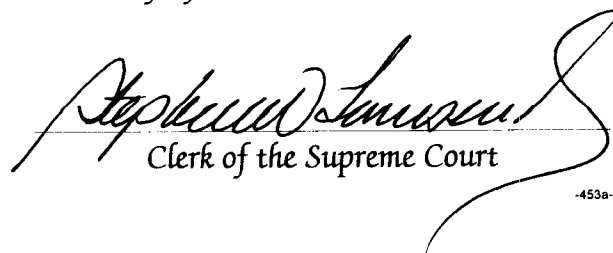

Clerk of the Supreme Court

EXHIBIT 3



Supreme Court of California

FREDERICK K. OHLRICH

Clerk of the Court

CERTIFICATE OF THE CLERK OF THE SUPREME COURT
OF THE
STATE OF CALIFORNIA

MARK ROBERT ROSEN

*I, FREDERICK K. OHLRICH, Clerk of the Supreme Court of the State of California, do hereby certify that **MARK ROBERT ROSEN** was on the 21st day of April 1989, duly admitted to practice as an attorney and counselor at law in all the courts of this state; and that his name now appears on the Roll of Attorneys as a member of the bar of this state in good standing.*

*Witness my hand and the seal of the court,
this 11th day of June, 2008.*

FREDERICK K. OHLRICH

Clerk of the Supreme Court

By

A handwritten signature in cursive script, appearing to read "Joseph Cornetta", written over a horizontal line.

Joseph Cornetta, Deputy Clerk

EXHIBIT 4



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

MARK R. ROSEN

was on the 19TH day of DECEMBER, 1980
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on June 9,
2008.

GARLAND PINKSTON, JR., CLERK

By: M. Charles
Deputy Clerk

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICHAEL RUBIN, Individually And On	:	
Behalf of All Others Similarly Situated,	:	Docket No. 08-cv-2233 (VM)
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
MF GLOBAL, LTD., ET AL.,	:	PROPOSED ORDER FOR
	:	<u>ADMISSION PRO HAC VICE</u>
Defendants.	:	

Upon the motion of William J. Ban, counsel for plaintiff in the above-captioned case, and his affidavit in support thereof:

IT IS HEREBY ORDERED that

Mark R. Rosen
Barrack, Rodos & Bacine
3300 Two Commerce Square
2001 Market Street
Philadelphia, PA 19103
Telephone: (215) 963-0600
Fax: (215) 963-0838
Email Address: mrosen@barrack.com

is admitted to practice *pro hac vice* as counsel for plaintiff MF Global Investor Group, which consists of, Iowa Public Employees' Retirement System, Policemen's Annuity and Benefit Fund of Chicago, Central States, Southeast, Southwest Areas Pension Fund, State-Boston Retirement System in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel

shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel has paid the pro hac vice fee to the Clerk of Court.

Dated: _____, 2008

United States District/Magistrate Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICHAEL RUBIN, Individually And On :
 Behalf of All Others Similarly Situated, : Docket No. 08-cv-2233 (VM)
 :
 Plaintiff, :
 :
 v. :
 :
 MF GLOBAL, LTD., ET AL., :
 Defendants. :

CERTIFICATE OF SERVICE

I, William J. Ban, a member of the bar of this Court, hereby certify true and correct copies of the foregoing Motion to Admit Counsel *Pro Hac Vice*, the supporting Declaration of William J. Ban and Proposed Order, have been filed this 16th day of June, 2008, with the Clerk of the Court and copies have been served, via first-class mail, on counsel for defendant, addressed as follows:

Evan J. Smith
Brodsky & Smith, LLC
240 Mineola Boulevard
Mineola, NY 11501

Richard A. Maniskas
Seamus Kaskela
David Promisloff
Schiffrein Barroway Topaz & Kessler LLP
280 King of Prussia Road
Radnor, PA 19087

Joseph H. Weiss
James E. Tullman
Richard A. Acocelli
Weiss & Lurie
551 Fifth Avenue
New York, NY 10176

Jules Brody
Stull, Stull & Brody
6 East 45th Street
New York, NY 10017

Richard A. Speirs
Shaye J. Fuchs
Zwerling, Schachter & Zwerling, LLP
41 Madison Avenue—32nd Floor
New York, NY 10010

Michael E. Criden
Criden & Love, P.A.
7301 S.W. 57th Court, Ste. 515
South Miami, FL 33143

Kim E. Miller
Kahn Gauthier Swick, LLC
12 East 41st Street—12th Floor
New York, NY 10017

Lewis Kahn
Kahn Gauthier Swick, LLC
650 Poydras Street—Suite 2150
New Orleans, LA 70130

Bernard W. Nussbaum
David B. Anders
Elaine P. Golin
Won S. Shin
Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019

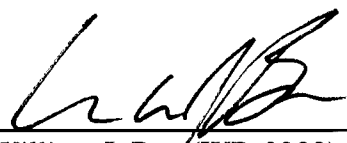
Robert Craig Finkel
Wolf Popper LLP
845 Third Avenue
New York, NY 10022

Marshall Howard Fishman
Elaine Patricia Golin
Brendan M. Schulman
Kramer Levin Naftalis & Frankel, LLP
1177 Avenue of the Americas
New York, NY 10017

David A. Rosenfield
Coughlin, Stoia, Geller, Rudman &
Robbins, LLP
58 South Service Road, Suite 200
Melville, NY 11747

Gerald H. Silk
Bernstein Litowitz Berger & Grossman,
LLP
1285 Avenue of the Americas
New York, NY 10019

Ira M. Press
Kirby McInerney LLP
830 Third Avenue, 10th Floor
New York, NY 11501



William J. Bar (WB-0382)